

BRUCE A. BLAKEMAN
County Executive



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**COUNTY OF NASSAU
OFFICE OF THE COUNTY ATTORNEY**

May 2, 2023

Honorable Joanna Seybert
United States District Judge
United States District Court for the Eastern District of NY
100 Federal Plaza
Central Islip, New York 11722

Re: United States v. Nassau County, et. al.
Case No.: 77 cv 1881

Dear Judge Seybert:

Nassau County respectfully requests that this Court grant an Order extending the time in which the County may use both the Nassau County Civil Service List No. 2018 PO for Police Officer ("Current Police Officer List), and the Nassau County Civil Service List No. 7001P for the Police Sergeant ("Current Sergeant List") for a period of one year or until a new list is established and certified, whichever comes first. The Current Police Officer List is set to expire on June 20, 2023. The Current Sergeant List is set to expire on June 12, 2023.

This is the County's first request for an extension of the Current Police Officer List and the second request for an extension of the Current Sergeant List. The County has provided notice of the County's intent to make this application to the United States Department of Justice, the Nassau County Police Benevolent Association, Inc. ("PBA"). Superior Officers' Association ("SOA"); and the Nassau County Detectives Association ("DAI"). The USDOJ and DAI consent to the County's request. The PBA and SOA have advised that they oppose the County's request.

Pursuant to NY Civil Service Law §56 (2), once the Current Police Officer List and the Current Sergeant List expire Nassau County will not be able to hire any officers for either position.

Nassau County has commenced to prepare a Civil Service examination that will meet the requirements of the consent decree. As the County had to comply with the Police Reform Act, the approval process for a vendor to prepare the civil service examinations took longer than anticipated. The contract with the County's vendor ("Talogy") was just approved by the Nassau County Legislature. The County will be working with Talogy to prepare and administer an exam that meets the terms of the consent decree. After the exam is administered the examination results need to be reviewed and approved by the Department of Justice prior to it being certified

by the Nassau County Civil Service Commission. This process will not be completed prior to the expiration date of the Current Police Officer exam, and the expiration date of the Current Sergeant List and may take at least one year to complete.

Police Officer Exam:

The County believes that not having an active, current list from which to hire new Police Officers would pose a direct threat to public safety. It is respectfully requested that this Court grant an order extending Nassau County Civil Service List No. 2018 PO for Police Officer for a period of one year, until June 20, 2024, or the date on which a new list is generated and certified, whichever occurs first.

Sergeant Exam:

The County believes that not having an active, current list from which to promote new police sergeants would pose a threat to public safety. It is respectfully requested that this Court grant an order extending Nassau County Civil Service List No. 7001P for the Police Sergeant for another year, until June 12, 2024; or until when a new list is generated and certified whichever occurs first.

The Court's consideration of this request is appreciated. A proposed Order is attached for Your Honor's consideration.

Respectfully yours,

Susan Tokarski

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Attachment

cc: All counsel of record (via ECF)

and

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